



# U.S. DEPARTMENT of STATE

## Romania

### International Religious Freedom Report 2005

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The Constitution provides for freedom of religion; while the Government generally respects this right in practice, some restrictions adversely affect religious freedom, and several minority religious groups continued to claim credibly that low-level government officials impeded their efforts at proselytizing and interfered with other religious activities.

There was no overall change in the status of respect for religious freedom during the period covered by this report. The Government continues to differentiate between recognized and unrecognized religions, and registration and recognition requirements still posed obstacles to minority religions. The Government did not adopt a new law regulating religions; however, a draft law on religious freedom is under debate by the State Secretariat for Religious Denominations and the recognized religions. Unrecognized religions have not been given any role or say in the debate. The Government has not passed legislation to return to the Greek Catholic community the churches and church property transferred by the communists to the Orthodox Church in 1948, nor has it shown any inclination to do so. An international commission headed by Nobel Prize Laureate Elie Wiesel, set up in 2003 to study the Holocaust in Romania, presented its report, conclusions, and recommendations in November 2004, and state authorities acknowledged publicly the occurrence of the Holocaust in the country. In October 2004, the country commemorated its first annual Holocaust Remembrance Day with the Government organizing public events for the commemoration. The Government also took some steps towards introducing the issue of the Holocaust in the country in school curricula. The process of granting construction permits for places of worship was shifted to local authorities. Some minority religions continued to complain of lengthy delays, which they claimed were based on their status as minority religions. Restitution of religious property continued to be slow.

Relations among different religious groups are generally amicable; however, there have been incidents where the Romanian Orthodox Church showed some hostility toward non-Orthodox religious churches and criticized the proselytizing of Protestant, neo-Protestant, and other religious groups. The Orthodox Church in general continued to prevent the return of Greek Catholic churches it received from the State after the dismantling of the Greek Catholic Church by the communists in 1948.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy raised repeatedly the issue of restitution of religious properties, including Greek Catholic churches, with government officials. The Embassy also supported extensively efforts--such as the work of the Wiesel Commission, the implementation of the Wiesel Commission's recommendations, and the training of teachers to teach the Holocaust--to recognize the true history of the Holocaust in Romania. The Embassy, the Special Envoy for Holocaust Issues, and other U.S. officials repeatedly raised with the Government the need to expand Holocaust education. The Embassy continued to encourage government and religious leaders to respect religious freedom fully.

#### Section I. Religious Demography

The country has an area of approximately 91,699 square miles, and its population is approximately 21.7 million.

The Romanian Orthodox Church is the predominant religion in the country. The Government officially recognizes 17 religions: the Romanian Orthodox Church, the Roman Catholic Church, the Greek Catholic Church, the Old Rite Christian (Orthodox) Church, the Reformed (Protestant) Church, the Christian Evangelical Church, the Romanian Evangelical Church, the Evangelical Augustinian Church, the Lutheran Evangelical Church-Synod Presbyterian, the Unitarian Church, the Baptist Church, the Pentecostal Church, the Seventh-day Adventist Church, the Armenian Church, Judaism, Islam, and Jehovah's Witnesses (first recognized as a religion in 2003). Members of other faiths worship freely but are not afforded various forms of state support.

According to the 2002 census, the Romanian Orthodox Church had 18,817,975 members (86.8 percent of the population). The Roman Catholic Church had 1,026,429 members. The Catholic Church of Byzantine Rite (Greek Catholics or Uniates) had 191,556 members. This figure is disputed by the Greek Catholic Church, which claims that there were many irregularities such as census takers refusing to note Greek Catholic affiliation and automatically assuming Orthodox affiliation, which led to an inaccurate result. The Greek Catholic Church estimated in 2003 that its adherents numbered more than 790,000. (Greek

Catholics were former members of the Romanian Orthodox Church who in 1697 accepted principles required for union of the Orthodox Church with the Roman Catholic Church, but continue to maintain many Orthodox observances and traditions).

The Old Rite Christian (Orthodox) Church had 38,147 members. The Protestant Reformed Church had 701,077 members. The Christian Evangelical Church had 44,476 members. The Romanian Evangelical Church had 18,178 members. The Evangelical Augustinian Church had 8,716 members. The Lutheran Evangelical Church Synod-Presbyterian had 27,112 members. The Unitarian Church of Romania had 66,944 members. The Baptist Church had 126,639 members. The Apostolic Church of God (Pentecostal Church) had 324,462 members. The Seventh-day Christian Adventist Church had 93,670 members. The Armenian Church had 687 members. There were 6,075 Jews, according to the 2002 census. The Jewish Community Federation states that they have approximately 10,200 members. Romanian Muslims, mostly Turks and Tartars, have 67,257 members. Jehovah's Witnesses, which did not have legal status as a recognized religion at the time of the census, are estimated to have approximately 80,000 members and associates. According to the same census, the number of atheists was 8,524, and there were 12,825 persons who did not have any religious affiliation.

According to the State Secretariat for Religious Denominations, most religions have followers dispersed throughout the country, although a few religious communities are concentrated in particular regions. Old Rite members (Lippovans) are located in Moldavia and Dobrogea. Most Muslims are located in the southeastern part of the country in Dobrogea, near Bulgaria and the Black Sea coast. Most Greek Catholics are in Transylvania, but there is also a large Greek Catholic community in Moldavia. Protestant and Catholic believers tend to be in Transylvania, but many also are located around Bacau. Orthodox or Greek Catholic ethnic Ukrainians are mostly in the northwestern part of the country. Orthodox ethnic Serbs are in Banat. Armenians are concentrated in Moldavia and the south. Members of the Protestant Reformed, Roman Catholic, and Unitarian churches in Transylvania are virtually all ethnic Hungarians.

According to published sources, the Baha'i Faith, the Family (God's Children), the Church of Jesus Christ of Latter-day Saints (Mormons), the Unification Church, the Methodist Church, the Presbyterian Church, Transcendental Meditation, Hare Krishna, and Zen Buddhism have active branches in the country; however, they are not recognized officially.

According to a nationwide poll conducted by Gallup Organization Romania in May 2005, 1 percent of the respondents stated they go to church on a daily basis; 3 percent attend services several times a week; 19 percent stated they go to church once a week; 17 percent claimed to go to church several times per month; 34 percent of the respondents stated that they go to church only at Christmas and Easter; 5 percent claimed they go to church once per month; 9 percent attend services once a year or less; 11 percent responded they do not go to church at all. In the same poll, 83 percent of the respondents stated that the church is the institution they trust most.

## **Section II. Status of Religious Freedom**

### **Legal/Policy Framework**

Although the Constitution provides for freedom of religion, the Government exercises considerable influence over religious life through laws and decrees. The Orthodox Church exercises substantial influence in its dominant role among a majority of the population and policymakers. Government registration and recognition requirements still pose obstacles to minority religions. Several minority religious groups continued to claim credibly that low-level government officials and the Romanian Orthodox clergy impeded their efforts at proselytizing and interfered with other religious activities.

A communist-era decree, number 177 of 1948, remains the basic law governing religious denominations. It allows considerable state control over religious life. Technically almost none of the articles of this law have been abrogated formally; however, according to the State Secretariat for Religious Denominations, a large number of its articles have been nullified in practice by the Constitution and a series of governmental decrees. Although several religious denominations and religious associations confirmed that articles stipulating the State's interference with or control over religious life and activities have not been enforced, such provisions still exist in the law.

The Government requires religious groups to register. There is no clear procedure for the registration of religious groups as religions. The Government has refused to recognize a number of religious groups since 1990. After a long period of persistent refusal to enforce a 2000 Supreme Court ruling that ordered that Jehovah's Witnesses be recognized, the Government granted the Jehovah's Witnesses the status of a recognized religion in 2003.

The total number of recognized religions remains low. Under the provisions of Decree 177 of 1948, the Government recognized 14 religions; subsequently, it added the Greek Catholic Church (1989) and the Jehovah's Witnesses (2003). The Romanian Evangelical Church and the Christian Evangelical Church were listed originally as one religion but are now considered two separate fully recognized religions, bringing the total to 17. Recognized religions are eligible for state support; they have the right to establish schools, teach religion in public schools, receive government funds to build churches, pay clergy salaries with state funds and subsidize clergy's housing expenses, broadcast religious programming on radio and television, apply for broadcasting licenses for denominational frequencies, and enjoy tax-exempt status.

The Government registers religious groups that it does not recognize either as religious and charitable foundations or as cultural associations. Until 2000, the State Secretariat for Religious Denominations licensed 622 religious and charitable foundations, as

well as cultural organizations, under Law 21 of 1924 on Juridical Entities, thereby entitling them to juridical status as well as to exemptions from income and customs taxes.

Government Decree 26 of 2000 on associations and foundations abrogated Law 21 of 1924 and eliminated most of the bureaucratic obstacles, including the minimum requirement of members needed to establish religious associations and foundations, and the requirement of the mandatory approval by the State Secretariat for Religious Denominations, in the registration process. In 2003, the Government reintroduced mandatory approval by the State Secretariat for Religious Denominations for the registration of religious associations. In 2004, the State Secretariat for Religious Denominations issued 113 approvals under this decree and 23 in the first half of the year. There were no reports that any applications were denied during the period covered by this report.

The number of adherents of each recognized religion in the 2002 census determines its state-provided budget. The Orthodox religion receives the largest share of governmental financial support. In addition, Orthodox religious leaders generally preside over state occasions. In 2004, the Government allocated financial assistance (for various purposes, including the priests' salaries) amounting to almost \$8.9 million (ROL 291,480 million) to the Orthodox Church, approximately \$970,000 (ROL 31,855 million) to the Roman Catholic Church, close to \$180,000 (ROL 5,905 million) to the Greek Catholic Church, and approximately \$326,000 (ROL 10,660 million) to the Reformed Church.

The law governing the rights of foreigners, revised in 2003, introduced a long-stay visa for religious activities. Visa requirements include approval by the Ministry of Culture and Religious Affairs, evidence that the applicants represent a religious organization legally established in the country, certification of medical insurance, and a criminal record review. To grant this approval, in May 2004 the Ministry asked religious groups to provide religious workers' professional histories, documents to prove their qualifications to develop religious activities and represent a religious group in the country of origin, and reasons for their presence in the country; however, this requirement was reportedly not implemented. The law no longer limits visa extensions to 6 months, a change considered positive by most religious groups. Although the law provides for up to 5-year visa extensions, the Jehovah's Witnesses complained that their missionaries were granted only 2-year and even 1-year extensions and the State Secretariat for Religious Denominations stipulated that extensions for longer periods can be granted only if "the presence of foreign missionaries is justified by their programs and projects." There are penalties for any foreigner who stays without a visa, but such penalties do not appear to be linked to religious activities. The State Secretariat reported that 966 visas and visa extensions were approved for religious workers in 2004, and 218 were approved in the first 6 months of 2005.

In February 2005, a government decree cancelled the requirement of construction permits for places of worship issued by a special commission of the Ministry of Culture and Religious Affairs. Since February, to build places of worship, religious denominations need only the permits required for any construction, which are obtained at the local level. There were reports of unjustified opposition by local authorities to granting such permits to minority religions. Prior to February, the special national commission was in charge of issuing construction permits for places of worship.

The Government did not adopt a new religion law to replace communist era legislation. In February 2005, the opposition Social Democratic Party (PSD) submitted to Parliament a draft law on religious freedom. The new Government drafted a separate version that by mid-year remained under review by the State Secretariat for Religious Denominations and the officially recognized religions.

Minority religious groups assert that central government and parliamentary officials are more cooperative than local officials.

Following a 1999 Supreme Court ruling, the Ministry of Education no longer requires Adventist students to come to school or take examinations on Saturdays.

During the period covered by this report, the State Secretariat for Religious Denominations, in partnership with the independent nongovernmental organization (NGO) Conscience and Liberty, sponsored meetings on religious freedom issues in various counties every two months, with the participation of all religious denominations, local authorities, and representatives of the State Secretariat. To foster a permanent dialogue in religious life, the State Secretariat for Religious Denominations met with representatives of religious groups on a regular basis and attended the meetings of the leading bodies of some religious denominations. In October 2004, the State Secretariat for Religious Denominations sponsored consultations with European experts on the religious freedom law.

The National Anti-Discrimination Council (CNCD), established to curb discrimination of any kind (including on religious grounds), received nine complaints of discrimination on religious grounds in 2004, and seven in the first five months of period covered by this report. In three of these cases, the CNCD decided to reprimand those found guilty of religious discrimination, and in a fourth one the CNCD fined the culprit \$220 (ROL 6 million).

Christmas and the Orthodox Easter are national holidays. Members of the other recognized religions that celebrate Easter on a different date are entitled by law to have an additional holiday. Religious leaders occasionally play political roles. In particular, many Orthodox leaders make public appearances with prominent political figures, and religious messages often contain political promises or goals, and support for particular political positions.

Most mainstream politicians have criticized anti-Semitism, racism, and xenophobia publicly. Both former President Ion Iliescu

and members of the former cabinet, as well as incumbent President Traian Basescu and the new cabinet members, made public statements on various occasions against extremism, anti-Semitism, and xenophobia, and criticized attempts to deny the occurrence of the Holocaust in the country. In January 2005, President Basescu attended the commemoration of the 60th anniversary of the liberation of the Auschwitz death camp in Poland. In March 2005, Prime Minister Calin Popescu-Tariceanu participated in the inauguration of Yad Vashem's new Holocaust History Museum in Jerusalem. President Basescu also publicly pointed to the need for an accurate rendering of the Holocaust in Romania in school curricula. Two government decrees were issued in 2002 to combat anti-Semitism, ban fascist, racist, and xenophobic organizations prohibit the personality cult of war criminals; and protect Jewish cemeteries and synagogues.

In accordance with one of the 2002 decrees, three statues of the country's pro-Nazi World War II leader Marshal Ion Antonescu located on public land were taken down and a square was renamed in 2002. Most of the Marshal Antonescu streets nationwide were renamed. One street in Cluj continued to bear the name of Antonescu due to the failure of the former mayor, a leader of the extreme nationalist Greater Romania Party, to replace the street sign. Several months after the defeat of the extreme nationalist mayor in June 2004, the street sign was changed. The street sign of the Antonescu Street in Targu Mures was removed in spring 2005, following a decision by the municipal council. A street named for Antonescu continues to exist in Cimpulung Muscel. In 2003, the Government inaugurated a Holocaust memorial in Targu Mures, a Transylvanian town under Hungarian administration in World War II.

In 2003, the Government established an international commission on the Holocaust in Romania, headed by Nobel Prize Laureate Elie Wiesel and consisting of 30 Romanian and foreign historians, to study the consequences of the Holocaust in Romania. The objective of the commission was to examine the history of the Holocaust in Romania to identify the facts that took place during the Holocaust and to disseminate the research results in the country and abroad. The organization of the commission--commonly called the Wiesel Commission--followed public statements made earlier in 2003 by then President Ion Iliescu who minimized the Holocaust in Romania, and by former Information Minister Vasile Dincu who denied the Holocaust in Romania. Iliescu subsequently asserted his comments had been misinterpreted, and the Government set up and fully supported the Commission. In November 2004, the Wiesel Commission presented its report. Iliescu praised the balance and objectiveness of the report, publicly accepted its conclusions, and underscored the need for the country to come to terms with its past. The Wiesel Commission's recommendations included the Government's reversal of the previous rehabilitation of Nazi war criminals; establishment of a national Holocaust Remembrance Day; construction of a national Holocaust memorial and museum in Bucharest; and enforcement of 2002 legislation making Holocaust denial a crime. In addition, the Commission recommended inter alia the comprehensive inclusion of the accurate history of the Holocaust in school curricula and textbooks.

Education on the country's role in the Holocaust continued to be limited, and treatment of the Holocaust in textbooks remained inconsistent, although the Government took steps to address these issues. The Government continued a program on Holocaust education introduced in 2002 at the National Defense College. In addition, according to the Ministry of Education, during the period covered by the report, the Holocaust was taught during history classes, under the subject World War II, in the seventh and eleventh grades. The Ministry of Education reported that in addition a course on the "History of the Jews: Holocaust," taught for the first time in school year 2004-05, was offered as an elective in 200 high schools (roughly 25 percent of the total number of high schools). A report by the Ministry of Education mentioned that the Ministry modified the curriculum of the course to be in line with the recommendations of Yad Vashem experts and the Wiesel Commission. Nonetheless, the Center for Monitoring and Combating Anti-Semitism in Romania (MCA), an NGO affiliated with the U.S.-based Anti-Defamation League, criticized the course for insufficiently focusing on the Holocaust in Romania. The MCA also expressed concern that the textbook lacks concrete, relevant, and crucial data.

The Holocaust in Romania is explicitly mentioned for the first time in general school curricula for the tenth grade, which were adopted in 2004 and will be implemented in the school year 2005-06. According to the Ministry of Education, the description of the Romanian Holocaust as it is taught is in line with the recommendations of the Wiesel Commission. The Government set up centers at universities in Cluj, Bucharest, Iasi, and Craiova, and a teachers' association in Bacau to train approximately 100 history teachers per year to teach the Holocaust. In addition, teachers received training between 2000-04 in cooperative programs operated by the Ministry of Education and Yad Vashem Institute, Centre de Documentation Juive Contemporaine (Paris) and the Holocaust Museum in Washington. The total number of teachers trained on this topic, however, remained small. Throughout the period covered by this report, the Ministry of Education continued to distribute books in schools to be used as supplementary material in the teaching of the Holocaust; however, the number of books supplied was insufficient. The Ministry of Education sponsored several international seminars on the Holocaust and the teaching of history in 2004 and in May 2005.

In May 2004, the Foreign Intelligence Service signed an agreement with the United States Holocaust Memorial Museum to grant access to its archives for research regarding the Holocaust.

In May 2004, in line with the recommendation later contained in the Wiesel Commission's report, the Government established an annual Holocaust Remembrance Day to take place on or around October 9, the anniversary of the first deportation of Jews from southern Bukovina to Transnistria. In October 2004, the Government commemorated this date for the first time. Political leaders laid wreaths at a Holocaust memorial in the courtyard of a synagogue in Bucharest and held an ecumenical religious service in Parliament. The Ministry of Education also sponsored a series of events to commemorate the Holocaust in schools.

In December 2004, former President Iliescu awarded the nation's highest honor, the "Order of the Star of Romania," to extreme nationalist Greater Romania Party (PRM) leader Corneliu Vadim Tudor, known for making numerous xenophobic and anti-Semitic comments. Iliescu also decorated a well-known Holocaust denier, PRM Vice Chairman Gheorghe Buzatu, with the prestigious "Faithful Service" award. The granting of awards to these two individuals generated a wave of protest. As part of this

protest, Elie Wiesel announced his decision to resign from the Order, an honor he received from former President Iliescu in 2002, stating that he "cannot belong to any group of which Vadim Tudor is a member." Separately, a group of 15 Radio Free Europe journalists decided to return the awards they also received from Iliescu. In March 2005, President Traian Basescu created new honorary boards for the country's decorations, which have the authority to review all awards previously granted. To date, the awards decorated to the PRM leaders have not been rescinded, although Buzatu also suggested that he might return his award, not wanting to hold the same award as Elie Wiesel.

In its 2004 Report on Nazi War Criminals, the Simon Wiesenthal Center included the country among those in which the investigation of Nazi war criminals was insignificant during the period under review. In 2002, the Parliament passed legislation that could bar the return to the country of Romanians who participated in Nazi war crimes but left the country during or after World War II. This includes individuals who lied about their participation in atrocities to obtain nationality in other countries, notably the United States. The U.S. Embassy and other U.S. officials expressed strong concern about this legislation as well as the refusal of the country to accept the return of war criminals, noting that it represented a failure of the country to recognize the participation of its nationals in the Holocaust and to accept official responsibility.

The Government did not take any action to reverse the 1997 decision by the Supreme Court to rehabilitate two war criminals, Col. Radu Dinulescu and Col. Gheorghe Petrescu, who previously had been convicted of direct complicity in activities associated with the Holocaust in Romania.

### **Restrictions on Religious Freedom**

There is no law against proselytizing, nor is there a clear understanding by the authorities of what activities constitute proselytizing. Although protected by law, several minority religious groups, which include both recognized and unrecognized religions, made credible complaints that low-level government officials and Romanian Orthodox clergy impeded their efforts to proselytize, interfered in religious activities, and otherwise discriminated against them during the period covered by this report. Few politicians sponsor bills and measures that would oppose the Orthodox Church, because of its substantial influence. Local officials tend to be tolerant, but there have been incidents where they have been pressured or intimidated by Orthodox clergy. In some instances, local police and administrative authorities tacitly supported societal campaigns (a few of which involved physical intimidation) against proselytizing by non-Romanian Orthodox religious groups.

Representatives of religious groups that sought recognition after 1990 alleged that the registration process was arbitrary and unduly influenced by the Romanian Orthodox Church, and that they did not receive clear instructions concerning the requirements. The Organization of the Orthodox Believers of Old Rite, the Adventist Movement for Reform, the Baha'i Faith, and the Mormons were some of the religious groups that tried unsuccessfully to register as religions after 1990. Local leaders of the Baha'i Faith stated that, during the period covered by the report, they did not seek registration because of the absence of legislation to allow it. It took the Ministry of Culture and Religious Affairs 3 years to recognize Jehovah's Witnesses on the basis of a 2000 court ruling.

One explanation given by the State Secretariat for Religious Denominations for the failure to register new religions was that recognition requires a decree issued by the Presidium of the Grand National Assembly, a communist-era institution that no longer exists. Since no new legislation has been passed in this regard, the State Secretariat stated that the registration of any new religion was not possible.

Unrecognized religions receive no financial support from the State, other than limited tax and import duty exemptions, and are not permitted to engage in profit-making activities.

In addition, representatives of several minority religious groups complained that allocation of off-budget funds (special funds maintained by the Government, supposedly for emergency use) is biased toward the Romanian Orthodox Church. According to the State Secretariat for Religious Denominations, off-budget funds are distributed according to the needs of the various religious denominations. Most minority religions reported that the national commission granted them permits to build places of worship without any difficulty, when the commission's approval was still required prior to February 2005. Minority religions, however, continued to encounter difficulties in obtaining construction permits at the local level. For example, Jehovah's Witnesses reported that in some localities, mayors and municipal councils obstructed their plans to build places of worship by illegally conditioning permits on the agreement of all neighbors in the area or claiming that only certain types of construction can be built in a particular district. Such cases occurred in Calarasi (Calarasi County) in August 2004 and in Odorheiu Secuiesc (Covasna County) and Panciu (Vrancea County) in January 2005. In Bals (Olt County) and Feldioara (Brasov County), the mayors refused to issue the construction permits in 2003, and Jehovah's Witnesses took the issue to court. In Bals, the court ruled against Jehovah's Witnesses in spring, and in April 2005, Jehovah's Witnesses applied again for a construction permit. A decision was pending by the end of the period covered in this report. In Feldioara, following a court ruling in favor of Jehovah's Witnesses, the mayor eventually issued the permit. Similar situations occurred in a number of other locations. The Seventh-day Adventist Church in Carlibaba (Suceava County) reported a similar case in which the church was denied a building permit by the mayor on the grounds that the number of believers was too few to warrant a church; the mayor had denied the permit repeatedly since the land purchase in 2000. The Baptist Church also reported similar cases.

In 2004, the Commission approved 196 applications for the construction of places of worship. Of the 196 permits, 101 were granted to the Orthodox Church, 4 to the Catholic Church, 11 to the Greek Catholic Church, 12 to the Baptist Church, 19 to the Pentecostal Church, 8 to the Seventh-day Adventist Church, 28 to Jehovah's Witnesses, and the rest to other religions. Of the

total number of applications, 15 were rejected, 12 belonging to the Orthodox Church, 2 to the Pentecostal Church and 1 to the Reformed Church. With the change of legislation in February 2005, the commission was no longer in charge of issuing such permits.

The law does not prohibit or punish assembly for peaceful religious activities. However, several minority religious groups complained that local authorities and Orthodox priests prevented religious activities from taking place, even when the groups had been issued permits. The Seventh-day Adventist Church reported difficulties in obtaining approvals to use public halls for religious activities following pressure by Orthodox priests. Even when they had rented public halls, on many occasions, local authorities, pressured by Orthodox priests, forced the Seventh-day Adventist Church to discontinue or cancel its religious programs, for example, in Vladia (Vaslui County). In some villages along the Siret River Valley, Orthodox priests pressured mayors to suspend healthcare activities sponsored by the Seventh-day Adventist Church in rented halls. During the period covered by the report, Jehovah's Witnesses won 16 lawsuits against mayors that continued to demand taxes for land and places of worship, although Jehovah's Witnesses had been granted religion status. In Saliste, the Jehovah's Witnesses continued to be faced with discriminatory attitudes. In October 2004, the mayor accused them of "illegally carrying out religious activities" and "aggressive religious proselytizing." Despite an official complaint filed by the Jehovah's Witnesses, the Ministry of Culture and Religious Affairs did not take any measures against the local authorities. The Mayor's Office in Saliste also demanded taxes for the Jehovah's Witnesses' places of worship; the latter challenged the city hall decision in court.

The Government permits, but does not require, religious instruction in public schools. Attendance in classes is optional. Only the 17 recognized religions are entitled to hold religion classes in public schools. While the law permits instruction according to the faith of students' parents, some minority recognized religious groups complain that they were unable to have classes offered in their faith in public schools. The Seventh-day Adventist Church, the Baptist Church, and Jehovah's Witnesses continued to report such cases. According to minority religious groups, the local inspectors for religion classes are typically Orthodox priests who deny accreditation to teachers of other religions. According to Baptist reports, in some cases, school directors denied access in their schools to teachers of neo-Protestant religions. Religious teachers are permitted to instruct only students of the same religious faith. However, minority religious groups, including the Baptist Church, credibly asserted that there were cases of children pressured to attend classes of Orthodox religion. The Seventh-day Adventist Church also complained that the School Inspectorate of Cluj County included in the school curriculum only one of the requested three classes on Adventist religion, although there were sufficient students for three full classes. In addition, the Baptist Church reported that, at some festivities in public schools, all students, irrespective of their religious affiliation, must attend Orthodox religious services. The same reportedly happened in the Army.

The Religious Assistance Division in the Ministry of Justice submits an annual report on religious assistance in prisons to the Ministry of Justice and the Orthodox Patriarchate. Only recognized religions are entitled to give religious assistance to prisoners, and regulations on the organization of religious assistance in penitentiaries forbid proselytizing. The prison priest (always an Orthodox priest) coordinates religious assistance in prisons. Minority recognized religious groups, including Jehovah's Witnesses and the Seventh-day Adventist Church, asserted that Orthodox priests denied them access to some penitentiaries.

The law entitles recognized religions to have military clergy trained to render religious assistance to conscripts. However, according to minority religions, with the exception of two representatives of the Catholic Church and Evangelical Alliance, the military clergy is comprised only of Orthodox priests.

In 2002, the Parliament passed legislation restituting religious properties confiscated by the communist regime. Some religious or communal property already had been returned to former owners as a result of government decrees or with the agreement of local religious leaders. The center-right government in office between 1996 and 2000 issued four decrees and a government decision, which resulted in the restitution of 100 buildings to religious and national minorities. One of the decrees (94/2000) subsequently became the basis of law 501/2002, described below.

In many cases, religious minorities have not succeeded in regaining possession of the properties despite restitution by these decrees. Many properties returned by decree house government offices, schools, hospitals, or cultural institutions that would require relocation, and lawsuits and protests by current possessors have delayed restitution of the property to rightful owners.

Law 501/2002 should provide for the restitution of all church properties. The buildings used by public institutions (such as museums, schools, and hospitals) are to remain in tenants' hands for a period of 5 years, during which time they are to pay rent to the churches. The majority of church properties belong to this category. However, this law does not address the distinctive and sensitive issue of the Greek Catholic churches, which were confiscated under communist rule in 1948 and handed over to the Orthodox Church. Some religious denominations criticized the law for failing to include a provision to give other buildings in compensation for those that have been demolished. By the final deadline of March 2, 2002, religious denominations submitted 7,568 applications for restitution, according to Law 501, as follows: Orthodox Church, 770; Roman-Catholic Church, 992; Greek Catholic Church, 2,207; Reformed Church, 899; Jewish, 1,809; Evangelical Church, 690; other denominations, 201. The national commission for Law 501 started its activity in 2003 and had restituted 737 buildings, 258 of which were restituted during the period covered by this report.

The Greek Catholic Church was the second largest denomination (approximately 1.5 million adherents out of a population of approximately 15 million) in 1948 when communist authorities outlawed it and dictated its forced merger with the Romanian Orthodox Church. At the time of its banning, the Greek Catholic Church owned more than 2,600 churches and monasteries, which were confiscated by the State and then given to the Orthodox Church, along with other facilities. Other properties of the

Greek Catholic Church, such as buildings and agricultural land, became state property.

According to the State Secretariat for Religious Denominations, after 1989 the Greek Catholic Church regained control more than 194 of the churches transferred by the communists to the Orthodox Church; the Greek Catholics claim that they have received only 178 such properties. The Greek Catholic Church has very few places of worship. Many followers still are compelled to hold services in public places (more than 150 cases, according to Greek Catholic reports) or in the open (at least 2 such cases were reported). In 1992, the Government adopted a decree that listed 80 properties (that were not places of worship) owned by the Greek Catholic Church to be returned. After the restitution of 60 to 65 properties, including schools and hospitals (the most important buildings, including three schools in Cluj were not restituted), no further progress was made. In some cases, Orthodox priests whose families had been Greek Catholics converted back to Greek Catholicism and brought their parishes and churches with them to the Greek Catholic Church. In several counties, in particular in Transylvania, local Orthodox leaders gave up smaller country churches voluntarily. For example, in the early 1990s in the Diocese of Lugoj in the southwestern part of the country, local Orthodox Church representatives reached agreement on the return of an estimated 160 churches; however, for the most part, Orthodox leaders refused to return churches to the Greek Catholics. Between July 2004 and April 2005, the Greek Catholic Church recovered only two churches, a sharp decline in numbers compared to the previous year.

In the early 1990s, the Orthodox Archbishop of Timisoara, Nicolae Corneanu, returned approximately 50 churches, including the cathedral in Lugoj, to the Greek Catholic Church. However, because of his actions, the Orthodox Holy Synod marginalized Archbishop Corneanu, and his fellow clergymen criticized him.

A 1990 government decree set up a joint Orthodox and Greek Catholic committee at the national level to resolve the situation of former Greek Catholic churches. The committee met for the first time in 1998, had three meetings in 1999, and then met annually after 2000, but the Orthodox Church resisted efforts to resolve the problem in this forum. The courts refused in many cases to consider Greek Catholic lawsuits seeking restitution, citing the 1990 decree establishing the joint committee to resolve the issue. In August 2004, however, the Government amended the 1990 decree that stipulated dialogue as the only means to decide on the situation of the confiscated Greek Catholic churches to give to the Greek Catholic Church the right to go to court whenever dialogue fails. The new Parliament, elected in November 2004, rejected the amending decree but the President refused to sign the rejection law and sent it back to Parliament for revision in March 2005, arguing that the restitution of Greek Catholic churches is one of the political criteria for the country's EU accession. The amending decree was pending Parliament's revision and passage as a law. In the interim, the Government's August 2004 amendment remained in force.

In early June 2005, the Prime Minister, together with the Minister of Culture and Religious Affairs, discussed the restitution of Greek Catholic churches with the Orthodox Patriarch, who had promised to restitute two cathedrals in Oradea and Gherla. The promise to restitute was for an unspecified date, only "after the completion of repair and restoration works," in addition to a promise "to restitute in a symbolic manner" a church in Bucharest. Neither promise produced tangible results, and according to the Greek Catholic Church, the local Orthodox hierarchs refused to consider any restitution proposals of the churches in question.

From the initial property list of 2,600 seized churches, the Greek Catholic Church has reduced the number of its claims to fewer than 300. According to Greek Catholic reports, only 16 churches were restituted as the result of the joint committee's meetings. The State Secretariat for Religious Denominations reported that 34 churches were restituted through dialogue between the two religions. Restitution of the existing churches is important to both sides because local residents are likely to attend the church whether it is Greek Catholic or Orthodox. Thus the number of members and share of the state budget allocation for religions is at stake.

All meetings of the joint committee followed the same pattern: the Greek Catholic Church would reiterate its core claim, i.e. the restitution of its former cathedrals and district churches, and the return of one church in localities where there are two churches and one of them belonged to the Greek Catholics; whereas the Orthodox Church would reply that the will of the majority of believers should be taken into account with regard to restitution, and restitution problems should be solved by dialogue. It would also call for an end to all ongoing lawsuits and would argue that the construction of new churches is the only solution to existing conflicts. The dialogue was interrupted in 2004, however, when the committee did not meet, apparently because the Orthodox Church was not satisfied with the answer of the Greek Catholic Church to a letter that urged it to choose between dialogue and court actions.

Despite the stated desire for dialogue, the Orthodox Church has demolished Greek Catholic churches under various pretexts. For example, Greek Catholic churches (some of them historical monuments) were demolished in Vadu Izei (Maramures County), Baisoara (Cluj County), Smig (Sibiu County), Trittenii de Jos (Cluj County), Craiova (Dolj County), and Urca (Cluj County). Another church that continued to be threatened with demolition was in Ungheni (Mures County). In this instance, the Orthodox Church continued construction of a new church, which was being built around the Greek Catholic Church. Despite a court order to halt construction, the Orthodox Church continued work close to the church of a famous Greek Catholic Monastery of Nicula (Cluj County). Over a number of years, the Orthodox Church repeatedly rejected the Greek Catholic requests for alternating service in a total of 227 localities. According to the State Secretariat for Religious Denominations, the 2 churches hold alternate services in 24 localities. The Government failed to keep its 2002 promise to help the Greek Catholic Church build 50 new wooden churches.

The Special Commission for the Restitution of Real Estate that Belonged to Religious Denominations, using Law 501/2002, had returned 63 of the 2,207 reclaimed buildings to the Greek Catholic Church, 10 of which were returned during the period covered

by this report.

In April 2005, Greek Catholic believers in the country and throughout the world redistributed a memorandum, addressed in 2002 to the President, Prime Minister, and other state authorities complaining about discrimination against their Church and calling for the restitution of the Greek Catholic churches and other assets confiscated under communist rule. The only reaction by the authorities came from the State Secretary for Religious Denominations, who sent a letter to the authors of the memorandum, declaring that the issue of the Greek Catholic churches was complex and sensitive and that the establishment of the commission for dialogue was a wise solution. The State Secretary stated that a Government-sponsored bill amending the law restituting religious property would solve this problem. However, the bill refers to the restitution of churches that are in the possession of the State, while Greek Catholic churches pending restitution are in the possession of the Romanian Orthodox Church.

In October 2004, then President Ion Iliescu was received by Pope John Paul II, who discussed the relationships among Christian religions in the country and expressed concern about Catholic Church properties, in particular those of the Greek Catholic Church.

Local and state authorities also ignored letters and appeals complaining about discrimination against the Greek Catholic Church, sent by Greek Catholic bishops and priests in 2003 and in January and February 2004. The authorities did not respond to street protests by Greek Catholics in 2003.

Even when courts accept lawsuits regarding Greek Catholic churches, in many cases restitution was not granted. For example, in March 2004 after a 14-year long lawsuit, a Bucharest court of appeal rejected the restitution claim for the most important Greek Catholic Church in Bucharest, despite recognizing that the Greek Catholic Church owned the church. The Supreme Court accepted an appeal by the Greek Catholic Church and returned the case to a lower court for revision. The case was pending at the European Court of Human Rights (ECHR).

Historical Hungarian churches, including Roman Catholic as well as Protestant churches (Reformed, Evangelical, and Unitarian), have received a small number of their properties from the Government. Churches from these denominations were closed but not seized by the communist regimes. However, the communist regime confiscated many of these groups' secular properties, which still are used for public schools, museums, libraries, post offices, and student dormitories.

Approximately 80 percent of the buildings confiscated from Hungarian churches are used as public facilities (schools, hospitals, or museums.) Of the 1,630 buildings confiscated by the communist regime from Hungarian churches, only 33 were restituted by government decrees between 1996 and 2000. However, Hungarian churches could not take possession of all of them because of lawsuits and opposition of current occupants. For example, restitution under Decree 13 of 1998 of the Batthyanaeum Library (which had belonged to the Roman Catholic Church) was delayed by lawsuits. Despite a 2003 court ruling in favor of the Roman Catholic Church, the building was not restituted. The church filed a complaint with the ECHR right after the issuance of the court ruling, and a decision was pending. The Roman Catholic Church submitted a complaint to the new Minister of Culture and Religious Affairs in winter 2005. The Roman Catholic Bishop's palace in Oradea was partially restituted in 2003, according to a protocol between a local museum, its current user, and the Roman Catholic Bishopric. A potential solution was under negotiation to find a building to relocate the museum. To date the Special Commission for the Restitution of Real Estate that Belonged to Religious Denominations, using Law 501/2002, had restituted 388 of the more than 1,450 reclaimed buildings to the Hungarian Churches, with 48 buildings restored during the period covered by this report. The Hungarian churches were dissatisfied with the slow pace of restitution under this law. The Mayor of Cluj reportedly opposed the restitution of three buildings to the Unitarian Church, all of which the Church should have received in December 2004 under the law on religious property. The Mayor's Office challenged the decisions in court, which still ruled in favor of the Unitarian Church. It then tried and appealed the court ruling twice; a decision on the last appeal was pending.

The Jewish community has received 42 buildings by government decree. Of these structures, the community took actual, partial, or full possession of 32 buildings. In many cases, restitution was being delayed by lawsuits. The community was able to reclaim land only in Iasi, where it received 15 pieces of land (of former synagogues and schools) between 1999 and 2000. However, 21 land claims of the Jewish community remained unresolved in Iasi, including a piece of land that, although claimed by the Jewish community in 1998, was divided and distributed to other persons by the prefect. Under Law 501/2002, to date 55 additional buildings were returned to the Jewish community, of which 17 were restituted during the period covered by this report.

In March 2004, Parliament adopted a law amending a previous government decree, which restituted a limited number of properties to ethnic communities, including the Jewish community. The law stipulates the restitution of all buildings that belonged to ethnic communities and were confiscated between September 6, 1940, and December 22, 1989. As in the case of religious properties, buildings used for the "public interest" will remain in the hands of the present users for 5 years. By the deadline of September 30, 2004, ethnic communities submitted 1,930 claims, of which 1,744 belong to the Jewish community. At the request of the Jewish community, the new law extended the period of the confiscation of properties to include the interval between 1940 and 1945, when the pro-Nazi government seized a large number of Jewish properties. As was earlier the case, the new law does not provide compensation for properties that no longer exist. Restitution under this law did not start during the period covered by the report.

Another problem with restitution is often a refusal by the occupant to return a property or pay rent for occupancy. The nominal owner still can be held liable for payment of property taxes in such cases.



According to Law 1 of 2000, religious denominations are entitled to claim between 25 to 250 acres of farmland (depending on the type of religious unit—parish, eparchy, bishopric), and up to 75 acres of forestland from properties seized by the communists. Enforcement of the law continued to be slow.

Amendments to the Constitution enacted in October 2003 allow the establishment of confessional schools subsidized by the State. However, this provision was not implemented.

There were no reports of religious prisoners or detainees.

#### **Forced Religious Conversion**

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### **Abuses by Terrorist Organizations**

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

#### **Improvements in Respect to Religious Freedom**

In October 2004, the country commemorated its first Holocaust Remembrance day. In November 2004, the conclusions of the report of the International Commission on the Holocaust in Romania were publicly accepted by state authorities. The Government took some steps toward introducing the study of the Holocaust of the Romanian Jews in the school curricula.

### **Section III. Societal Attitudes**

There are generally amicable relations among the different religious groups. There is no law against proselytizing. However, the Romanian Orthodox Church repeatedly criticized the so-called "aggressive proselytizing" of Protestant, neo-Protestant, and other religious groups, which the Church repeatedly described as "sects." This led to conflicts in some cases. The press also reported several cases in which adherents of minority religions were prevented by others from practicing their faith, and local law enforcement authorities did not protect them. The New Right (Noua Dreapta) organization (a small, right-wing group with nationalistic, xenophobic views) harassed Mormons verbally and sometimes physically in several cities around the country. In 2003, New Right members picketed an open house meeting in Bucharest. The police intervened to protect the meeting.

The predominance of the Orthodox Church over the last several hundred years, along with its status as the majority religion, has contributed to its reluctance, in particular at the local level, and sometimes with the support of low-level officials, to tolerate other religions. Consequently, actions by other religious groups to attract members frequently are perceived by the Orthodox Church as attempts to diminish the number of its members. Minority religious groups alleged that some members of the Orthodox clergy provoked isolated incidents of organized group intimidation.

Jehovah's Witnesses continued to allege verbal and physical abuse from persons incited by some Orthodox priests, who often took an active part in these actions. In some instances, the priests reportedly had the support of local authorities and the police, such as in Dofteana (Bacau County), where in April 2004 the mayor, apparently under influence of the Orthodox priest, obstructed activities of the Jehovah's Witnesses. The mayor took to the police a group of Jehovah's Witnesses ministers who were going from door to door and accused them of violating two local ordinances forbidding door vending and fund raising. He interpreted the ordinances as meaning no one could approach the people of the village at their homes without prior approval from the local administration. The mayor warned Jehovah's Witness to stop their door-to-door ministry. Despite complaints filed with the city hall, local and national police, and the Ministry of Culture and Religious Affairs, the mayor continued this discriminatory conduct. The Ministry did not take any measures, and harassment of Jehovah's Witnesses continued in this locality.

Tensions with the Orthodox Church reportedly continued in Mizil, a small town with a small congregation of Jehovah's Witnesses. The congregation was subjected to a persistent discrediting campaign by the local Orthodox Church throughout 2004. The mayor, along with the Orthodox priests and the police, continued a vehement anti-Jehovah's Witnesses campaign started in 1997, seeking to forbid their activity. Despite the complaints filed by Jehovah's Witnesses with the State Secretariat for Religious Denominations and the police in the summer of 2004, in November 2004, the mayor issued a resolution forbidding any actions of proselytizing. In January 2005, the city hall's monthly newsletter also started a campaign against Jehovah's Witnesses. In November 2004, a local primary school teacher in Mizil was threatened with dismissal by the school director, following accusations by the mayor of "religious proselytizing" in school. The mayor also filed a complaint with the Prahova County School Inspectorate, and school inspectors told the teacher that he had to choose between teaching and his religion. The Jehovah's Witnesses and the Center for Legal Resources, a human rights NGO, filed complaints, in January and April 2005 respectively, against the mayor, the inspectors, and the School Inspectorate with the CNCD, which, following investigations, concluded that the authorities discriminated against and harassed the teacher. The CNCD decided to reprimand the mayor, the inspectors and the School Inspectorate. The mayor was additionally fined approximately \$220 (ROL 6 Million).

The Seventh-day Adventist Church reported similar incidents with Orthodox priests in several localities, including Milas (Bistrita Nasaud County), where in the fall of 2004, a group of Adventist believers from a neighboring village came for a series of presentations. They were denied access to a hall and subsequently went to a private house. The mayor accompanied by a group of local people warned them to leave the village, saying they were not wanted there. Tensions calmed down after the Conference of the Adventist Church sent a letter to the mayor. In March 2005, an Adventist religious activity in Milas could not take place because of the opposition of a group of local people headed by the mayor and the Orthodox priest. The local policeman stated that he could not protect the Adventists because of the large number of villagers opposing their activity. In Pitesti, for several years, Church of Jesus Christ of Latter-day Saints had problems with an Orthodox priest, who repeatedly took the missionaries' name tags and broke them. On April 7, 2005, he took a Book of Mormon and a Bible from the hands of a missionary and destroyed them. He later stated, during a meeting between the missionaries and the police, that he would continue to act in this manner as long as missionaries come in the area of his church since he claimed to be responsible for preventing people from leaving his church. Police reportedly delayed sanctioning the priest.

The Reformed Church in Oradea alleged that local authorities incited an interconfessional and interethnic conflict by allocating a sports playground, which had, according to the Reformed Church, rightfully belonged to a reformed high school, to a local Orthodox parish in September 2004. The local Orthodox parish intensified the conflict by locking up the playground, restricting access to the students and rendering the high school in a state of de facto limbo.

Minority religions credibly complained about the intolerant attitude of some Orthodox religion teachers, who in some instances have depicted non-Orthodox churches to students as "sects" and a danger for all those who might want to join them.

At the end of November 2004, unidentified persons vandalized a Baptist church in Caracal (Olt County) twice. Police failed to identify the perpetrators.

The Seventh-day Adventist Church complained that Orthodox priests allowed the burial of non-Orthodox believers in confessional or even public cemeteries (often treated as confessional by Orthodox priests in rural areas) only if religious services specific to other religions were not performed. To avoid such encounters, the Adventist Church asked the mayors' offices for land for cemeteries in a large number of localities where it had congregations, but it received positive answers to only 12 of its 700 requests. Orthodox priests also denied access to Greek Catholics to cemeteries in Sapanta, Biczul Ardelean, and Pesceana.

According to the local Muslim community, Bucharest City government failed to respond to repeated requests by the Muslim community for land for a Muslim cemetery. This has led to difficulties in locating a proper burial ground for Romanian Muslims. The Muslim community has engaged in prolonged negotiations with local authorities and has identified appropriate land for a cemetery. However, the Muslim community continued to encounter bureaucratic deadlock in receiving final authorization for the cemetery.

In January 2005, a group of villagers from Pesceana, along with the Orthodox priest, switched to the Greek Catholic Church. Following this, the local council illegally refused to register the parish, and local police did not react to the Greek Catholics' complaints of physical and verbal violence. The Prefect of Vilcea County also refused to give any guarantee of safety to the Greek Catholics. In February 2005, the Ministry of Administration and the Interior dismissed the chief of the local police precinct for having organized an anti-Papal and anti-Catholic demonstration. The State Secretary for Religious Denominations asked the Greek Catholic Metropolitan in February 2005 to reverse the appointment of the former Orthodox priest as Greek Catholic priest in this parish. The police and the mayor tried to pressure the Greek Catholic believers to declare that they were cheated into signing the list of adherents to the Greek Catholic Church. Several NGOs filed a complaint with the Ministry of Administration and the Interior regarding alleged abuse committed by state authorities against the Greek Catholic group and notified the CNCD. The CNCD representatives investigated the facts in April 2005, and a decision was pending. The State Secretary for Religious Denominations also visited the site of the conflict and urged the parties involved to solve the conflict in a peaceful manner. The Greek Catholics continued to be denied access both to their former Orthodox church and to the cemetery. Despite a promise by the State Secretary for Religious Denominations that the Greek Catholics would be allowed to enter the cemetery, violent incidents occurred again on May 21, when the Greek Catholic priest was physically abused by the police when trying to enter the cemetery. On May 24, to defuse tensions in the locality, the State Secretary for Religious Denominations and the Prefect of Valcea County mediated a protocol between the two Churches, promising the allocation of land for the construction of a church and a cemetery to the Greek Catholic Church within a month of the signature of the protocol. Both parties denounced the protocol within a week of its signature, with the Orthodox Church refusing to accept the existence of the Greek Catholic parish in the locality and the Greek Catholic Church refusing to give up the right of its members to go with their priest to the graves of their family members.

Representatives of minority religions credibly complained that only Orthodox priests grant religious assistance in hospitals, children's homes, and shelters for the elderly. Charitable activities carried out by other churches in children's homes and shelters were often interpreted as proselytizing.

Since the dialogue between the Greek Catholic and Orthodox Churches came to a halt in 2004, disputes between the two religions' believers over church property increased not in number but in intensity. Greek Catholic communities decided, in many cases, to build new churches because of lack of progress in restituting their properties either through dialogue with the Orthodox Church or in court; however, their efforts were obstructed by the Orthodox Church, sometimes with the support of local authorities. For example, in Sapanta, where the Greek Catholic Church decided to give up claims for its church and build a new

one, the Orthodox priest continued to use his influence to bar the approval of the construction plans for a new Greek Catholic church. The Greek Catholic Church initiated a lawsuit. Similar tensions continued in Certeze (Satu Mare County), where the Greek Catholic Church was not permitted to build a new church on its land because of obstructions and harassment by the Orthodox Church and local authorities. Tensions continued in localities where the Orthodox Church refused to enforce a court ruling ordering the restitution of churches to the Greek Catholic Church, as in Tigvaniul Mare (Caras Severin County), for example.

In Prunis (Cluj County), where most of the residents belong to the Greek Catholic Church, tensions continued because of a long-standing lawsuit. In Mihalt (Alba County), after long lasting disputes with the Orthodox Church after renouncing their claim to their former church, the Greek Catholics were finally able to start the construction of a new church with funds provided by the Government.

In Ardud, the Greek Catholic Church, which previously had owned the only church in the locality, built a new church to put an end to the long-standing conflict. However, the Orthodox Church took legal action and evicted the Greek Catholic priest (who had been an Orthodox priest) from the parish house in 2003 in the presence of numerous gendarmes and police. The Orthodox Church refused the Greek Catholics' proposal to help buy a new house for the Orthodox priest.

In most localities with two churches (one of which had belonged to the Greek Catholic Church) and only one Orthodox priest, priests frequently do one of three things: hold religious services in turns in both locations, keep the Orthodox church locked and hold the services in the former Greek Catholic churches, or establish a second Orthodox parish in the locality. However, more than 10 former Greek Catholic churches remained closed.

The Ministry of Culture and Religious Affairs granted museum status to churches in Sieu and Bogdan Voda (Maramures County) instead of supporting the enforcement of final court rulings restituting the former Greek Catholic churches.

In Racovita, where a final court ruling had not been enforced for a long period of time because of the opposition of local priest and the mayor, the church was eventually restituted by court order during the period covered by the report.

In April 2005, in Satu Mare, authorities continued to fail to enforce a longstanding ruling restituting a cathedral to the Greek Catholic Church. The Orthodox Church circumvented enforcement by establishing a second parish to conduct religious services in the cathedral, claiming that the Greek Catholic Church had won a lawsuit only against the original parish.

In Bicsad (Satu Mare County), where the Greek Catholics obtained a government decision restituting a former Greek Catholic monastery, the Greek Catholic Church could not take possession of the monastery because of opposition from the local Orthodox clergy. Local authorities have not supported enforcement of the Government's decision.

In Dumbraveni, the Orthodox Church continued to refuse to enforce a previous court ruling to share a local church with the Greek Catholic Church. Short-term prospects for the return of the Greek Catholic church were dim, since restitution was contingent on construction of a new Orthodox church, which was expected to take many years. Greek Catholic sources alleged that the construction works were deliberately slowed down.

The fringe press continued to publish anti-Semitic articles. The Legionnaires (also called the Iron Guard, an extreme nationalist, anti-Semitic, pro-Nazi group that existed in the country in the interwar period) continued to publish books from the inter-war period and Iron Guard magazines. In February 2005, an Iron Guard monthly "Obiectiv Legionar" (Legionnaire Focus) was distributed in Parliament, where the Chairman of the Human Rights Committee of the Senate called on the Bucharest Prosecutor's Office to ban the publication of the monthly. The magazine, which began publication in 2003, carries mostly old legionnaire literature and is distributed by the state-owned press distribution company, which also distributes another legionnaire publication, "Cuvintul Legionar" (Legionnaire Opinion), in several of the largest cities, including Bucharest.

In March 2005, a university professor in Sibiu published an article denying the Holocaust in Romania.

In July 2004, authorities charged an individual with distributing nationalistic-chauvinistic and fascist propaganda; the trial was in progress at the end of the period covered by this report. During a search, the police found a large number of neo-Nazi flyers, magazines, and extreme-right publications in the defendant's home. Similar materials were found on the hard disk of his computer.

A contributor to one of the legionnaire magazines, the Timisoara-based "Gazeta de Vest" (Western Gazette), was sentenced in 2003 to 30 months' imprisonment for dissemination of nationalist-chauvinistic propaganda and fascist symbols.

The New Right organization (also with legionnaire orientation) continued to sponsor yearly marches, followed by religious services, to commemorate Corneliu Zelea Codreanu, the founder of the Legionnaire Movement. The latest took place in November 2004.

In March 2004, a private television station, National TV, broadcast a talk show on "Gypsies, Jews, and Legionnaires," which voiced xenophobic, anti-Semitic, and racist opinions. One of the participants, the leader of an extremist organization, wore the

legionnaire uniform. National TV did not react to a protest sent by the Jewish Communities Federation in Romania regarding this show.

In August 2004, Nazi and anti-Semitic signs were found on the inside of the walls of the Jewish cemetery in Sarmasu (Cluj County). The incident remained under investigation.

In October 2004, around the time of the first Holocaust Remembrance Day, there were several attempts by extremists to minimize the commemoration. A well-known Holocaust denier voiced anti-Semitic views on the private television station National TV. In addition, participants in a meeting of the National Council for the Study of the Securitate Archives denied during the meeting the existence of the Holocaust in Romania. The extreme nationalist New Generation Party adopted for its electoral campaign a slogan used by the 1930s anti-Semitic Legionnaire Movement: "I swear to God to make Romania into a country like the holy sun in the sky."

In December 2004, the metal hood used to cover a Marshal Antonescu statue located in the yard of an Orthodox church in Bucharest was removed and replaced by a tri-color ribbon. The slogan, "Antonescu – national hero," was written on the church wall close by. The perpetrator was not identified. Following complaints by the Jewish community to the General Police Inspectorate, the Offices of the Bucharest Prefect and Mayor, and the Prosecutor's Office to the Supreme Court, the statue was covered again and the graffiti removed. In December 2004, the Organization of Jewish Youth in Timisoara received threatening and intimidating anti-Semitic messages. On December 31, 2004, neo-Nazi graffiti were discovered on the door of the home of a member of the Bucharest Jewish community. He filed a complaint with the police. Perpetrators were not identified. In January 2005, Nazi symbols and anti-Semitic graffiti were found on a building in Suceava inhabited by a married couple that survived the Holocaust. Similar symbols were found on a garage in Galati in April 2005. In January 2005, police and prosecutors in Buzau initiated criminal prosecution against a 17-year-old for creating an anti-Semitic website inciting violence against two teenagers of the Jewish community in that town.

In February 2005, four Torah scrolls were stolen from a synagogue in Iasi. The police found all four in a local antique store and returned them to the Jewish community. In May 2005, nine graves were desecrated in a Jewish cemetery in Ploiesti. The Jewish community filed a complaint with the local police. On May 17, 2005, a synagogue was desecrated in Radauti; nothing was stolen but the Torah scrolls were vandalized. The Federation of the Jewish Communities notified the state authorities of these incidents.

Unidentified persons broke into a synagogue in Bacau and broke its windows in March 2004. The perpetrators could not be identified but were believed to have been local youths, rather than members of an organized anti-Semitic movement. Non-Jewish cemeteries in Bucharest were vandalized in a similar manner.

Anti-Semitic graffiti were written on the walls of the Jewish theater in Bucharest and on downtown buildings in Cluj in 2002. Thieves broke into the Jewish temple in Vatra Dornei in 2002. The synagogue in Focsani was desecrated in 2002. Five Jewish cemeteries were desecrated in locations throughout the country in 2003. Perpetrators have not been identified in these cases.

According to MCA Romania, the authorities have a tendency to minimize the significance of such incidents, usually explaining them as being the actions of children, drunkards or persons with mental disorders.

#### **Section IV. U.S. Government Policy**

The U.S. Government actively discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The Embassy also maintains close contact with a broad range of religious groups in the country. The Ambassador, and other U.S. Embassy representatives, regularly met with religious leaders and government officials who work on religious affairs in Bucharest and in other cities.

In July 2004, the Embassy financed the travel of four high school teachers to a course in the United States for teaching the Holocaust. The Embassy also funded a 120-hour training course for high school teachers on racism, xenophobia, and Holocaust education for high school teachers between September 2004 and May 2005.

Throughout the period covered by the report, Embassy representatives and other U.S. Government officials discussed with government officials at multiple levels the importance of full official recognition of the Holocaust in Romania, improvements in Holocaust education in school curricula, and implementation of the recommendations of the Wiesel Commission. The Embassy participated in the first commemoration of the country's Holocaust Remembrance Day and issued a press statement noting the importance of the commemoration. The Embassy supported visiting delegations focusing on issues related to the Holocaust, including the Wiesel Commission. Embassy personnel and visiting U.S. officials repeatedly discussed the Holocaust in Romania with local and international members of the Wiesel commission and supported the work of the commission. During a visit in March 2005, Special Envoy for Holocaust Issues, Ambassador Edward O'Donnell discussed with the Government officials ways to implement the recommendations of the Wiesel Commission report and to expand Holocaust education. In April 2005, the visiting Chairman of the U.S. Commission for the Preservation of American Heritage Abroad met with numerous Romanian officials to urge among other issues the construction of a Holocaust memorial, as recommended by the Wiesel Commission, in a prominent location in Bucharest.

The Embassy also supported activities in the country of the U.S. Holocaust Memorial Museum, including in the latter's successful efforts to obtain extensive archival information from the Romanian National Archives.

On repeated occasions, the Ambassador and other Embassy officials raised concerns about the slow restitution of religious properties, in particular of Greek Catholic churches, with government officials, including the President, Prime Minister, and the Minister of Culture and Religious Affairs. Members of the Embassy's Office in Cluj had meetings with Reformed, Evangelical, Greek Catholic, Jewish, and Orthodox officials in Cluj and Oradea, discussed restitution of religious properties, and participated in a seminar at Cambridge University's Institute for Orthodox Christian Studies. In May 2005, the U.S. House of Representatives passed a resolution urging the Government to recognize its responsibilities to provide equitable, prompt, and fair restitution to all religious communities for property confiscated by the former Communist government in the country.

In May 2005, the Embassy sponsored a series of seminars on religious freedom, tolerance, and interconfessional dialogue in Bucharest, Sibiu, Oradea, Baia Mare, and Targu Mures.

In addition Embassy staff members were in frequent contact with numerous NGOs that monitor developments in the country's religious life. U.S. officials continued to lobby in government circles for fair treatment on property restitution issues, including religious and communal properties, and for nondiscriminatory treatment of all religious groups.

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